

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JEFFREY SHAVITZ,

Plaintiff,

- against -

BGA PHARMA, INC.,

Defendant.
-----X

07 Civ.3331 (MGC)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

ECF CASE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District
Courts of the Southern and Eastern District of New York, I, Paul Ostensen, a member of
good standing of the bar of this Court, hereby move for an Order allowing the admission
pro hac vice of

Gregg I. Shavitz
Shavitz Law Group
1515 S. Federal Highway, Suite 404
Boca Raton, Florida 33432
(561) 447-8888
(561) 447-8831

Gregg I. Shavitz is a member in good standing of the Bar of the State of Florida
and of the United States District Court of the Southern, Middle and Northern Districts of
Florida. There are no pending disciplinary proceedings against Gregg I. Shavitz in any
state or federal court.

FILED
U.S. DISTRICT COURT
2007 JUL 17 PM 3:11
S.D.N.Y.

Dated: New York, New York
July 16, 2007.

MINTZ & GOLD LLP

A handwritten signature in black ink, appearing to read 'Paul Ostensen', is written over a horizontal line.

Paul Ostensen (PO 2251)
470 Park Avenue South
10th Floor North
New York, NY 10016-6819
Tel: (212) 696-4848
Fax: (212) 696-1231
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
JEFFREY SHAVITZ,	: 07 Civ.3331
	:
Plaintiff,	: AFFIDAVIT OF PAUL
	: OSTENSEN IN SUPPORT OF
- against -	: MOTION TO ADMIT
	: COUNSEL PRO HAC VICE
BGA PHARMA, INC .,	:
	: ECF CASE
Defendant.	:
-----X	

PAUL OSTENSEN, being duly sworn, hereby deposes and says as follows:

1. I am an associate of the firm Mintz & Gold, LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Gregg I. Shavitz as counsel pro hac vice to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 2000. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Gregg I. Shavitz for approximately one year.

4. Gregg I. Shavitz is the principal of the Shavitz Law Group in Boca Raton, Florida. Gregg I. Shavitz is a member in good standing of the Bar of the State of Florida and of the United States District Court of the Southern, Middle and Northern Districts of Florida. A copy of his certificate of good standing in the state of Florida is attached hereto as Exhibit A.

5. I have found Mr. Shavitz to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.


6. Counsel for the parties have conferred. Counsel for the Defendant has no objection to Gregg I. Shavitz being admitted pro hac vice.

7. Accordingly, I am pleased to move the admission of Gregg I. Shavitz pro hac vice.

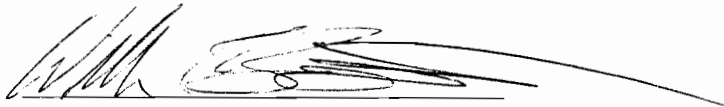
8. I respectfully submit a proposed order granting the admission of Gregg I. Shavitz, pro hac vice.

WHEREFORE, it is respectfully requested that the motion to admit Gregg I. Shavitz pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: New York, New York
July 16, 2007.


Paul Ostensen (PO 2251)

Sworn to before me this ¹²16 day of
July, 2007



WILLIAM P. BODKIN
Notary Public, State of New York
No. 02B06079701
Qualified in Queens County
Commission Expires 11/03/2010



The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600
WWW.FLORIDABAR.ORG

State of Florida)

County of Leon)

In Re: 11398
Gregg I. Shavitz
Shavitz Law Group, P.A.
1515 S. Federal Hwy., Ste. 404
Boca Raton, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 23, 1994.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 5th day of July, 2007.

A handwritten signature in black ink that reads "Willie Mae Shepherd". The signature is written in a cursive, flowing style.

Willie Mae Shepherd
Supervisor, Membership Records
The Florida Bar

WMS/smrv7/R10

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
JEFFREY SHAVITZ,	:	07 Civ.3331
	:	
Plaintiff,	:	ORDER FOR ADMISSION
	:	PRO HAC VICE ON
against -	:	WRITTEN MOTION
	:	
BGA PHARMA, INC .,	:	
	:	ECF CASE
Defendant.	:	
-----X		

Upon the motion of Paul Ostensen, attorney for Jeffrey Shavitz and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED THAT:

Gregg I. Shavitz
Shavitz Law Group
1515 S. Federal Highway, Suite 404
Boca Raton, Florida 33432
Tel: (561) 447-8888
Fax: (561) 447-8831

is admitted to practice pro hac vice as counsel for Jeffrey Shavitz in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: July __, 2007
New York, New York

Hon. Miriam Goldman Cedarbaum
United States District Judge

F:\AMY\DOCS\MISC\AOS and back\Jeffrey Shavitz aos.wpd


AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

I, Amy Wong, being duly sworn, deposes and says:

I am over the age of eighteen (18) years and am not a party to this action and reside in Old Bridge, New Jersey.

That on July 16, 2007, I served the within copy of the MOTION TO ADMIT COUNSEL PRO HAC VICE and AFFIDAVIT OF PAUL OSTENSEN IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE in the following manner:

- _____ By depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service, addressed to each of the persons listed below at the last known address set forth after each name;
- _____ By delivering a true copy thereof personally to each person listed below at the address indicated. I knew each person served to be the person mentioned and described in said papers as a party therein, or their attorney authorized to accept service;
- _____ By transmitting the papers by electronic means to the telephone/FAX number listed below, which number was designated by the attorney/party for such purpose. I received a signal from the equipment of the attorney/party served indicating that the transmission was received;
-  By depositing a true copy thereof, enclosed in a wrapper addressed as shown below, into the custody of FEDERAL EXPRESS for overnight delivery, prior to the latest time designated by that service for overnight delivery;

Andrew G. Celli, Jr., Esq.
Emery Celli Brinckerhoff & Abady LLP
75 Rockefeller Plaza
20th Floor
New York, NY 10019



Amy Wong

Sworn to before me this
16th day of July, 2007



NOTARY

WILLIAM P. BODKIN
Notary Public, State of New York
No. 02B06079701
Qualified in Queens County
Commission Expires 11/03/2010